

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

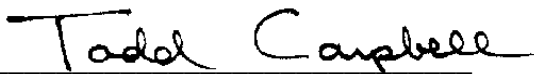
THOMAS JEFFREY WILLIAMS)
)
v.) NO. 3:05-0786
) JUDGE CAMPBELL
TENNESSEE DEPARTMENT OF)
CORRECTION, et al.)

ORDER

Pending before the Court is Defendants' Motion to Dismiss (Docket No. 8). For the reasons stated in the accompanying Memorandum, Defendants' Motion is GRANTED in part and DENIED in part.

Plaintiff's claims against the Tennessee Department of Correction are DISMISSED. Any claims against Defendants Mills and Saunder in their official capacities are DISMISSED. Plaintiff may file and serve an Amended Complaint, by February 21, 2006, however, to clarify if he intends to sue Defendant Mills and Defendant Saunder in their individual capacities. Otherwise, this action will be dismissed.

IT IS SO ORDERED.


TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE